

ORDINANCE NO. 2014 – 2

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF BRADLEY BEACH ENTITLED CHAPTER 393 SPECIAL EVENTS AND ADDING SECTION 393-11 PERSONNEL AND EQUIPMENT FEES

Be it ordained by the Mayor and Council of the Borough of Bradley Beach that Chapter 393 Special Events, is amended as follows:

393-1 Permit required for special events.

A. A person or organization desiring to hold any concert, race, walkathon, fair, carnival, festival, celebration, show, or other similar event in or upon any public grounds or private property, park, beach, or road of the Borough must first apply for an obtain a permit from the Borough Clerk in accordance with the requirements of § 393-2 of this chapter. Any such concert, race, walkathon, fair, carnival, festival, celebration, show, or other similar event, which is likely to require the expenditure of Borough resources in the form of Department of Public Safety and/or Department of Public Works salaries, wages, or other expense, shall constitute a special event. To obtain a permit for a special event, the applicant shall also satisfy the requirements of § 393-3 of this chapter.

B. In order to further define a “special event”, the following shall be inclusive: closing of a public street; the blocking or restriction of public property; the sale of merchandise, food or beverages on public property outside the central business district, or on private property where other prohibited by ordinance; the installation of a stage, band shell, trailer, van, portable building, grandstand, or bleachers on public property, or on private property where otherwise prohibited by ordinance; the placement of portable toilets on public property, or on private property where otherwise prohibited by ordinance; or placement of temporary “no parking” signs on a public right-of-way.

393-2 Application for permit.

A. A person or organization seeking issuance of a permit hereunder shall file the application with the Borough Clerk on a form to be provided by the Clerk for that purpose, on which form the applicant shall furnish the following information:

1. The name, address, and telephone number of the applicant.
2. The name, address, and telephone number of the person, persons, corporation, or association sponsoring the activity.
3. A detailed description of the proposed event and a sketch that would show the area or route to be used, along with proposed structures, tents, fences,

barricades, signs, banners, and rest room facilities, more commonly referred to as a “footprint”.

4. The date(s) and hours for which the permit is desired.
5. The location of the event for which the permit is desired, and complete details as to how the applicant intends to provide for security and traffic control.
6. The number of contestants, participants, spectators, and/or other people that reasonably be anticipated to attend the event.
7. A detailed description of the Borough resources or services that will be required to be provided in connection with the event.
8. A detailed list of all vendors using various cooking devices shall be submitted to the Fire Marshall ten (10) days prior to the event.
- 9. *Should alcohol be served at the event a complete detailed drawing as to location and how the applicant will secure the area shall be submitted.***
- 10. *Any other information which the Borough Clerk shall find reasonably necessary to a fair determination as to whether a permit should be issued thereunder.***

B. Upon verification that the application is complete, the Borough Clerk shall refer the application to the Borough department heads for preliminary review in accordance with § 393-3 of this chapter.

393-3 Review of Application; decision by Borough Council.

A. The department heads shall review the applications and shall present to the Borough Council their recommendations during their regularly scheduled meeting. In the event that any Council member voices concern that the event to be held requires additional investigation, he or she may direct that the application be referred back for additional information. The Council shall make the final determination, by resolution, adopted by majority vote, whether to issue a permit for a special event, and shall set forth in the resolution such conditions and restrictions as may be reasonably necessary to insure that the standards set forth in § 393-4 are satisfied. The Mayor and Council may change the permit fee to recover the costs that the Borough incurred due to the event. ***Upon review by the Mayor and Council and other department heads, revisions may be required. After final revision/approval of the drawing by all parties, no changes may be made. Should other changes be requested after approval changes, such changes must be submitted within thirty (30) days and will incur an additional \$250.00 fee.***

393-4 Standards for permit insurance; deposit; waiver of fees.

A. The standards for the issuance of a permit pursuant to this chapter shall include the following findings:

1. That the proposed event will not reasonably interfere with or detract from the general public enjoyment of the public park, beach, or roadway to be utilized.
2. That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety, and recreation.
3. That the proposed activity or uses that are reasonably anticipated will not be likely to include violence, crime, or disorderly conduct.
4. That the facilities desired have not been reserved for other use at the date and hour requested in the application.

B. All or part of the required fees may be waived by the Mayor and Borough Council.

C. A deposit of at least \$2,500.00 per day shall be paid with the application. Other fees proposed by the Borough Council will be due thirty (30) days prior to the event. In the event the balance of the fees owed are not submitted ten (10) days prior to the event, the Borough reserves the right to cancel the event.

D. There will be no refund of any fees.

393-10 Enforcement.

A. The Police Department of the Borough ***or its designee has the authority to eject from the area any person or persons acting in violation of this chapter.***

393-11 Personnel and Equipment Fees.

A. The Borough is authorized to charge for any additional and/o unanticipated fees for expenses which are deemed or become necessary prior, during, or after the special event as a direct result of the event, from unforeseen circumstances or otherwise.

Maintenance Personnel and Equipment Fees:

Putting up barricades – 1 man, 1 hour	\$50.00
Picking up barricades – 1 man, 1 hour	\$50.00
Putting up banner – 2 men, 1 hour	\$100.00
Taking down banner – 2 men, 1 hour	\$100.00
Use of pickup truck, per hour	\$40.00*
Use of dump truck	\$60.00*
Use of sweeper, per hour	\$75.00*
Use of front end loader, per hour	\$85.00*
Use of dozer, per hour	\$85.00*
Use of portable float (stage) and steps	\$250.00
Use of litter scooter, per hour	\$30.00*
Use of garbage truck, per hour	\$55.00*
Dumping fee	\$120.00 per ton
Use of bucket, per hour	\$85.00*
Beach Cleaner	\$15.00*
Cushman	\$15.00*
Janitor	\$20.00 per man hour
Ambulance	\$250.00*
Fire Engine or Rescue Truck	\$500.00 per day*

Police

***Items shown with an asterisk require an additional charge for the operator of the vehicle or equipment, which shall be at the rate of \$50.00 per man-hour. The above fees include delivery and pickup during regular working hours (7 am-2pm). All charges shall be hourly (except for the use of the portable float/stage and steps) and shall have a minimum charge of one hour. For any increments into the following hours, a one-hour charge shall be incurred.**

****Police**

Filing Fees for Police	\$50.00
Vehicle	\$100.00
Rate per man-hour	\$72.00

Road jobs rate per man-hour is calculated at one and a half (1-1/2) times the rate of the top rated police officers pay scale. Minimum of four (4) hours is guaranteed for roadwork.

******Parking***

Parking will be provided for vendors at the north end of Ocean Avenue and Lake Terrace when requested. Parking rate will be paid at the rate of the meter.

This ordinance shall take effect on its final passage and publication according as provided by law.

MARYANN SOLINSKI
Borough Clerk

GARY ENGELSTAD
Mayor

Introduced: January 28, 2014

Date of Hearing and Adoption: February 11, 2014

Date and Place of Publication: _____
